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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Brendan Hinchey
Hee-Sook Song

#4

Serial No.: 09/989,739

Filed: November 20, 2001

For: MAIZE CYTOPLASMIC GLUTAMINE
SYNTHETASE PROMOTER
COMPOSITIONS AND METHODS FOR
USE THEREOF

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: DEKM:177US/REH

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:	
March 11, 2002	
Date	Robert E. Hanson

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated December 18, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Brendan Hinchey and Hee-Sook Song;
- (b) A Power of Attorney on behalf of Monsanto Technology, L.L.C.;
- (c) Our check in the amount of \$2390.00 to cover the basic filing fee (\$740.00 - utility large entity); surcharge for late filing (\$130.00); additional claims fee (\$1410.00); one month extension of time fee (\$110.00);

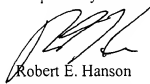
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and
- (e) Request for Extension of Time of one month to and including March 18, 2002.
- Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to Monsanto Technology, L.L.C. and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10111172/REH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,


Robert E. Hanson
Reg. No. 42,628
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: March 11, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/989,739	11/20/2001	Brendan Hinchey	DEKM:177US 10111172

CONFIRMATION NO. 9652

FORMALITIES LETTER



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FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
SUITE 2400
600 CONGRESS AVENUE
AUSTIN, TX 78701

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Date Mailed: 12/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1410.
 - \$1242 for 69 total claims over 20.
 - \$168 for 2 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2280.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/22/2002 SFELEK1 00000049 09989739
740.00 00 00
1242.00 00 00
130.00 00 00
01 FC:101
02 FC:102
03 FC:103
04 FC:105

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March 11, 2002

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March 11, 2002

Date

Robert E. Hanson

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Commissioner for Patents
Washington, DC 20231

RE: *U.S. Patent Application No. 09/989,739 entitled "MAIZE CYTOPLASMIC GLUTAMINE SYNTHETASE PROMOTER COMPOSITIONS AND METHODS FOR USE THEREOF" - Brendan Hinchey and Hee-Sook Song (Client reference: 52212 US 00)*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed December 18, 2001;
- (2) Declaration;
- (3) Power of Attorney;
- (4) Request for Extension of Time;
- (5) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (6) Check in the amount of \$2390.00; and

Commissioner for Patents

March 11, 2002

Page 2

(7) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10111172/REH.

Respectfully submitted,



Robert E. Hanson

Reg. No. 42,628

REH/mar

Encl: as noted